

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

KENDRICK LLOYD,

Plaintiff,

v.

MICHAEL J. ASTRUE,

Commissioner of Social Security,

Defendant.

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Civil Action No. **3:10-CV-0734-L**

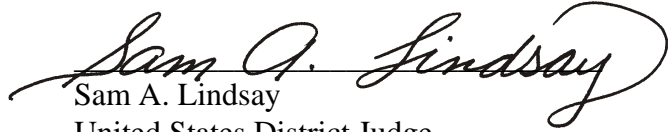
ORDER

Before the court are the Findings, Conclusions, and Recommendation of the United States Magistrate Judge (“Report”), filed November 15, 2010; and Defendant’s Unopposed Motion to Reverse and Remand, filed November 12, 2010.

Defendant Michael J. Astrue, Commissioner of the Social Security Administration, requests that this court reverse and remand the findings of the Administrative Law Judge, pursuant to sentence four of 42 U.S.C. § 405(g). Under sentence four of 42 U.S.C. § 405(g), “[t]he court shall have power to enter, upon the pleadings and transcript of the record, a judgment affirming, modifying, or reversing the decision of the Commissioner of Social Security, with or without remanding the cause for a rehearing.” A remand for further administrative proceedings, such as the remand requested here, is a “sentence four” remand under 42 U.S.C. § 405(g). *Shalala v. Schaefer*, 509 U.S. 292, 298-99 (1993). The magistrate judge determined that this social security case should be reversed and remanded for further administrative proceedings pursuant to the fourth sentence of 42 U.S.C. § 405(g).

Having reviewed the record in this case and the findings and conclusions of the magistrate judge, the court determines that the findings and conclusions are correct. The magistrate judge's findings and conclusions are therefore **accepted** as those of the court. The court also **grants** Defendant's unopposed Motion to Reverse and Remand. Accordingly, the final decision of the Commissioner denying disability benefits is **reversed**, and this action is **remanded**, pursuant to sentence four of 42 U.S.C. § 405(g), to the Commissioner for further proceedings consistent with the court's order.

It is so ordered this 30th day of November, 2010.


Sam A. Lindsay
United States District Judge